

IN THE UNITED DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA

Tony Fountain #152157  
Plaintiff,

RECEIVED

2006 DEC 18 ACTION NO: 2:06-CV-548-

MHT

VS.

DR. Peasant, et, al,  
Defendants.

BARA P. HACKETT, CL.  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

MOTION FOR AN ENLARGEMENT  
OF TIME

Comes, now, Tony Fountain, by and through himself moves this Honorable Court, to extend the time, allocated him to respond to this Court order dated November 27<sup>th</sup> 2006. Plaintiff, Request an Extra 21 days to respond to the Special Reports Filed by the defendants. And asserts the following facts in support of (t)his motion for a 21 days Extension of time to wit:

- 1). Plaintiff, contends that the prison's were he being housed Law Library are used for an all purpose room.
- 2). And that, the prison Law Library are used for such programs and events, as A/A, N/A, S.O.A, along with religious events and the inmates population visit yards.

ON Saturday's and Sunday's, From 7:00 A.M. until 2:30 p.m., the prison's law library are use for other purpose during the week. such as Blood drives, T.B's testing and Flu Shots as well as Lab's work, Staff's Meeting and Banquets, Eye doctor appointments ect...

3). Plaintiff, further stress the facts the law library regular hours suppose to be from (open) 7:00 A.M. to 1:30 p.m. and from 3:00 p.m. to 5:00 p.m. Monday's through Friday's and on Saturday's and Sunday's from 7:00 A.M. to 5:00 p.m. However the prison's law library are closed during feeding the inmates population here at State Prison between the hours of 9:30<sup>A.M.</sup> to 11:30<sup>A.M.</sup> And is again closed during the 12:30 p.m. Count-time, which can take two to three hours on occasions, and the camp will open back up around 2:30 and lockdown again at 3:00 p.m. Feeding, this is a daily routine here. On Dec. 1<sup>st</sup> 06, closed for JAMM graduation started at 8:00 A.M. until 5:00 p.m. that afternoon. On Dec. 2<sup>nd</sup> 06, closed for visitation (7:00 A.M. to 2:30 p.m.), and was closed for the rest of the day for staff's cook-out. Dec. 5<sup>th</sup> 06, closed for an un-announced eye doctors appointment around 8:00 A.M. some three hours later the law library clerks heard the eye doctors appointments had been canceled. Again Dec. 6<sup>th</sup> 06 closed, eye doctors appointment re-scheduled the entire day. On Dec. 12<sup>th</sup> 06, camp lockdown do to a staving incident around 1:30 p.m. and didn't open back up at all. On Dec 14<sup>th</sup>

Dec. 7<sup>th</sup> 06, Law library Closed For job board, during the Morning hours, and From 5:00 p.m. until A/A was held in the library.

4). plaintiff, Stresses the point that in makes litigating in Courts would be lucky if we get 8 hours a week law library time.

Wherefore, plaintiff, prays that (2) his Motion For An Enlargement of time 21 days be allocated him to allow him to comply with this Court order of November 27<sup>th</sup> 2006.

Done this 14<sup>th</sup> day of December 2006

  
Tony Fountain, PRO SE

### CERTIFICATE OF SERVICE

I, hereby, Certify, that I have served a true and correct copy of the foregoing as addressed:

Office of The Attorney General  
11<sup>th</sup> South Union, St.  
Monts. Al. 36130.

Porterfield, Harper, Mills & Mozlow, P.A.  
22 Inverness Center Parkway  
Suite 600, P.O. Box 530790

Birmingham, Al. 35253-0790

by placing the same in the U.S. Mail on this 14<sup>th</sup> day of December 2006, prepaid (Certified Mail).

Sincerely

